

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 2, 2004**

**E033526      People v. Steven L. Clark**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**E033452      In re Brooke C., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Charlene B.**

**Opinion**

Judgment reversed with directions.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**E032596      People v. Jameel Muwwakkil**

**Opinion**

Judgment affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E033542      People v. Ruben Caldera**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**E033632      People v. Monoieto Johnson**

**Opinion**

Judgment affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 3, 2004**

Court convened at 9:00am

Panel 1

Present:

McKinster, Acting P.J.

Gaut, J.

King, J.

Ann Dee Smith, Deputy Clerk

**E031542      People v. Jose Rogelio Ibarra**

Merits. Cause called and Nancy J. King, Esq., argued for appellant; Garrett Beaumont, Deputy Attorney General, argued for respondent. Cause submitted.

**E033862      Mt. San Jacinto Community College District v. Riverside County  
Superior Court; Azusa Pacific University**

Merits. Cause called and Justin M. McCarthy, Esq., argued for petitioner; Edward J. Szczepkowski, Esq., argued for real party in interest. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a

Present:

Ramirez, P.J.

McKinster, J.

King, J.

Ann Dee Smith, Deputy Clerk

**E033644      People v. Alejandro Camacho**

Merits. Cause called and Amanda F. Benedict, Esq., argued for appellant; Robert Foster, Deputy Attorney General, argued for respondent. Cause submitted.

**E031354      People v. Alfredo Moreno Hernandez**

Merits. Cause called and Alisa A. Shorago, Esq., argued for appellant; Robert Foster, Deputy Attorney General, argued for respondent. Cause submitted.

**E033287      In re Cody S. et al., Persons Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Lynnnda P.; Cody S. et al.**

Merits. Cause called and Richard Pfeiffer, Esq., argued for appellant, Lynnnda P.; Patti L. Dikes, Esq., argued for appellants, Cody S. et al.; Julie A. Koons, Deputy County Counsel, argued for respondent.

**E033511      Ardath Albee v. RMDI Corporation et al.**

Merits. Cause called and Anthony D. Weber, Esq., argued for appellant; Valerie L. Williams, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

Richli, Acting P.J.

Gaut, J.

King, J.

Steven McElroy, Deputy Clerk

**E033082      Bill E. Windsor v. County of San Bernardino et al.**

Merits. Cause called and Timothy J. Midgley, Esq., argued for appellant; Harry C. Carpelan, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a

Present:

Richli, Acting P.J.

Ward, J.

Gaut, J.

Steven McElroy, Deputy Clerk

**E032998      People v. Elias Gooden**

Merits. Cause called and Ronda G. Norris, Esq., argued for appellant; Taylor Nguyen, Deputy Attorney General, argued for respondent. Cause submitted.

**E033264\* In re Andrew M., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Constance M. et al.**

**E033881\* In re Andrew M., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Kay H. et al.**

Merits. Cause called and Kate M. Chandler, Esq., argued for appellant, Constance M; Richard Pfeiffer, Esq., argued for appellants, Kay H. et al.; Sharon Rollo, Esq., argued for appellant James M.; Julie A. Koons, Deputy County Counsel, argued for respondent; Konrad S. Lee, Esq., argued for the minor.

\*Consolidated for briefing, oral argument and decision.

**E032867 People v. Thomas Earl Pitts, Jr.**

Merits. Cause called and Howard C. Cohen, Esq., argued for appellant; Stacy A. Tyler, Deputy Attorney General, argued for respondent. Cause submitted.

**E034241 In re Darlene P. et al., Persons Coming Under the Juvenile Court Law.**

**Department of Children's Services v. Diana P. et al.**

Merits. Cause called and Richard Pfeiffer, Esq., argued for appellant, Diana P.; Linda S. Rehm, Esq., argued for appellant, Richard P.; Regina A. Coleman, Deputy County Counsel, argued for respondent; Konrad S. Lee, Esq., argued for the minors.

**E032846 Lorraine T. Sifuentes et al. v. State of California et al.**

Merits. Cause called and Robert F. Mann, Esq., argued for appellants; Joel A. Davis, Esq., argued for respondents, State of California et al; Dennis E. Wagner, Deputy County Counsel, argued for respondents, County of San Bernardino et al. Cause submitted.

Court adjourned.

**E032728 People v. Ceasar Charles McDowell**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E033285 People v. Michael Butler**

**Opinion**

Judgment affirmed as modified.

McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

**E032842      Ronald Bello v. Rudolph & Sletten, Inc. et al.**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 4, 2004**

Court convened at 9:00am

Panel 3

Present:

Ramirez, P.J.

McKinster, J.

Gaut, J.

Yolanda Burns, Deputy Clerk

**E033028      Patrick Barber v. State Personnel Board; Jerry Harper, as Director of California Youth Authority**

Merits. Cause called and Michael E. Barber, Esq., argued for appellant; Edmund K. Brehl, Esq., waives for respondent and for real party in interest and respondent. Cause submitted.

**E033545      David Carrillo et al. v. Sterling Jewelers, Inc. et al.**

Merits. Cause called and Dennis M. Childs, Esq., argued for appellants; Douglas H. Smith, Esq., argued for respondents. Cause submitted.

**E033210      Joan Smith v. High Teck Manufacturing et al.**

Merits. Cause called and Jess Whitehill, Jr., Esq., argued for appellant; John R. Flocken, Esq., argued for respondents. Cause submitted.

**E033616      Zerlene Rico et al. v. Mitsubishi Motors Corporation et al.**

Merits. Cause called and Norman Pine, Esq., argued for appellants; James J. Yukevich Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 4

Present:

McKinster, Acting P.J.

Richli, J.

King, J.

Elizabeth Ceballos, Deputy Clerk

**E031776      Amiya K. Goswami v. Robert A. McCarty**

Merits. Cause called and Amiya K. Goswami, argued as appellant in pro per; Dan Gentile, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4a

Present:

Richli, Acting P.J.

Ward, J.

King, J.

Elizabeth Ceballos, Deputy Clerk

**E032888      Commerce & Industry Insurance Company v. Scottsdale Indemnity Company**

Merits. Cause called and Alan B. Yuter, Esq., argued for appellant; David W. Burnett, Esq., argued for respondent. Cause submitted.

**E033205      Adad LLC et al. v. City of Moreno Valley**

Merits. Cause called and Mitchel J. Ezer, Esq., argued for appellant; Robert A. Owen, Esq., argued for respondent. Cause submitted.

**E033234      Janell Aplin, a Minor, etc. et al. v. Lake Elsinore Unified School District et al.**

Merits. Cause called and Thomas P. Aplin, Esq., argued for appellants; Daniel C. Lough, Esq., argued for respondent, City of Lake Elsinore; Garrett J. Hines, Esq., argued for respondent, Lake Elsinore Unified School District. Cause submitted.

**E031178      Linda Chapman v. Marilyn Manley**

Merits. Cause called and Linda Chapman, argued as appellant in pro per; David H. Ryan, Esq., argued for respondent. Cause submitted.

**E033269      Anthony D. Turner Jr., a Minor, etc. v. Hui Pun Foster et al.**

Merits. Cause called and Susan A. Beytin, Esq., argued for appellant; Kathryn Albarian, Esq., argued for respondents. Cause submitted.

**E033950      Leon E. Vaughn v. Clark Garen et al.**

Merits. Cause called and Clark Garen, Esq., argued for appellants; Leon E. Vaughn, argued as respondent in pro per. Cause submitted.

Court adjourned.

**E033087      People v. Rene Rodriguez Gazcon**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., King, J.

**E034257      In re D.H. et al., Persons Coming Under the Juvenile Court Law.  
Department of Children's Services v. L.H.**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**E032940      People v. Barry Marlon Summers**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**E034129      People v. Francisco Duarte Morales**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Ward, J., Gaut, J.

**E034683      Russell S. et al. v. The Superior Court of the County of San  
Bernardino;**

**Department of Children's Services**

**Opinion**

Petition denied.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 5, 2004**

**E034829      T.P. v. The Superior Court of the County of San Bernardino;  
Department of Children's Services**

**Opinion**

Petition denied.

Richli, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E033079      In re the Marriage of Linnea and Douglas Hyttenberg  
Adi E. Hyttenberg, as Successor in Interest v. Douglas Hyttenberg**

**Opinion**

Judgment reversed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**E034629      Linda B. v. The Superior Court of the County of San Bernardino;  
Department of Children's Services**

Petition denied.

**Opinion**

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 6, 2004**

**E031776      Amiya K. Goswami v. Robert A. McCarty et al.**

**Opinion**

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 9, 2004**

No Minutes for February 9, 2004.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 10, 2004**

**E033545      David Carrillo et al. v. Sterling Jewelers, Inc. et al.**

**Opinion**

Judgment affirmed in part and reversed in part.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 11, 2004**

No Minutes for February 11, 2004.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 12, 2004**

Holiday.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 13, 2004**

**E033715      People v. Eric Daniel Torres**

**Opinion**

Judgment affirmed in part; reversed in part.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032846      Lorraine T. Sifuentes et al. v. State of California et al.**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Richli, Acting P.J., Gaut, J.

**E033210      Joan Smith v. High Teck Manufacturing et al.**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

**E034041      In re Jonathan M. et al., Persons Coming Under the Juvenile Court  
Law.**

**Department of Public Social Services v. Jonathan M. et al.; Fayrene  
S. et al.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E034156      People v. Eugene Lamont Weems**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**E032867      People v. Thomas Earl Pitts, Jr.**

**Opinion**

Judgment affirmed.  
Gaut, J.  
We concur: Richli, Acting P.J., Ward, J.

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**E033737\*      People v. James Edward Henderson**

**Opinion**

Judgment reversed with directions.  
Gaut, J.  
We concur: McKinster, Acting P.J., Ward, J.  
\*CERTIFIED FOR PUBLICATION

**E033264\*      In re Andrew M., a Person Coming Under the Juvenile Court Law.  
Riverside County Department of Public Social Services v. Constance  
M. et al.**

**E033881\*      Riverside County Department of Public Social Services v. Kay H. et  
al.**

Judgments affirmed.  
Ward, J.  
We concur: Richli, Acting P.J., Gaut, J.  
\*Consolidated.

**E033288      People v. Ronald Allen Hulsey**

**Opinion**

Judgment affirmed.  
Ward, J.  
We concur: McKinster, Acting P.J., Gaut, J.

**E032998      People v. Elias Gooden**

**Opinion**

Judgment affirmed with directions.  
Ward, J.  
We concur: Richli, Acting P.J., Gaut, J.

**E033028      Patrick Barber v. State Personnel Board;  
Jerry Harper, as Director, etc.**

**Opinion**



Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 16, 2004**

Holiday.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 17, 2004**

E034241      In re Darlene P. et al., Persons Coming Under the Juvenile Court Law.  
Department of Children's Services v. Diana P. et al.

Opinion

**Judgment affirmed.**

**Gaut, J.**

**We concur: Richli, Acting P.J., Ward, J.**

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 18, 2004**

**E033394      People v. Alvin John Cavalier**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E034703      Angelica B. v. The Superior Court of the County of Riverside;  
Riverside County Department of Public Social Services.**

**Opinion**

Petition denied.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E032848      Scott M. Rich v. Lawrence J. Canale**

Petition for rehearing granted.

**E033950      Leon E. Vaughn v. Clark Garen et al.**

**Opinion**

Judgment affirmed.

King, J.

We concur: Richli, Acting P.J., Ward, J.

**E033120      People v. Albert John Ruf**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 19, 2004**

**E033601      Charlie Tadema, Inc. v. Hein Hettinga et al.**

**Opinion**

Judgment reversed with directions.

Gaut, J.

We concur: Ramirez, P.J., Ward, J.

**E034675      In re Devon D. et al., Persons Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Jason D.**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 20, 2004**

**E032414\*      Beverly C. Morgan v. City of Chino**

**Opinion**

Judgment reversed.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

\*CERTIFIED FOR PUBLICATION

**E034265      People v. Robert Lee Williams**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

**E033245      People v. Paula Jeanette Bester**

**Opinion**

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

**E033002      People v. Sylvester Olguin**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 23, 2004**

**E034479      Jitu Sadiki v. The Superior Court of the County of San Bernardino;  
Shaney N. Youngblood**

**Opinion**

Order annulled.

Richli, J.

We concur: McKinster, J., Gaut, J.

**E033720      In re Jeremy M., a Person Coming Under the Juvenile Court Law  
People v. Jeremy M.**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 24, 2004**

**E033371      People v. Michael Anthony Sims  
Opinion**

**Judgment affirmed as modified.**

**McKinster, Acting P.J.**

**We concur: Richli, J., King, J.**

**E033925      People v. Alice Mary Behrooznia  
Opinion**

**Judgment affirmed.**

**Ward, J.**

**We concur: McKinster, Acting P.J., Gaut, J.**



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 25, 2004**

**E033616\*      Zerlene Rico et al. v. Mitsubishi Motors Corporation et al.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

\*Certified for Publication.

**E033284      People v. Brandon Jenkins**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 26, 2004**

No Minutes for February 26, 2004.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
February 27, 2004**

**E032737      People v. Santos Pastor Hernandez**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.